

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ JUN 23 2010 ★

BROOKLYN OFFICE

-----X  
FRANKIE CANCEL,

Plaintiff,

**ORDER**  
**10 CV 846 (RRM)(LB)**

-against-

HOME DEPOT, TIM CROW, MARC D. POWERS,  
JOE MCFARLAND, ERIC V. PETERSON,  
MARVIN ELLISON and JOHN/JANE DOE(S),

Defendants.

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**BLOOM, United States Magistrate Judge:**

By letter dated June 11, 2010, plaintiff requests that the Court direct defendants to identify the John/Jane Does referred to in his amended complaint. See docket entry 18. Defendants oppose plaintiff's request, stating plaintiff may request the information he seeks during discovery. See docket entry 19. Defendants have also requested permission to move for dismissal of plaintiff's complaint. See docket entries 9, 12, 17. Plaintiff's request for a Court Order to compel defendants to identify the John/Jane Doe defendants is denied without prejudice. Discovery herein is stayed until the Court rules on defendants' proposed motion to dismiss.

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s/ LB  
LOIS BLOOM  
United States Magistrate Judge

Dated: June 22, 2010  
Brooklyn, New York